## Papers Laid On The Table.

SRI S. M. YAHYA.—(Minister for Excise and Labour):—I beg to lay:

(i) Notification No. GSR 185 dated 5th July, 1975.

The Karnataka Excise (Denatured spirit and Denatured Spirituous preparations) (Amendment) Rules, 1975.

(ii) Notification No. GSR 186 dated 5th July, 1975.

The Karnataka Excise (Bott'ing of Liquor) (Amendment) Rules,1975.

Under sub-section (4) of Section 71 of the Karnataka Excise Act, 1965.

SRI N. RACHIAH (Minister for Rural Development and Social Welfare) I beg to lay:—

Notification No. GSR 131 dated 28th April, 1975.

The Karnataka Taluk Boards (Licences and Fees) Rules, 1975.

Under section 246 of the Village Panchayat and Local Board Act, 1959.

SRI S. M. KRISHNA (Minister for Industries and Parliamentary Affairs) I beg to lay:—

8th Annual Report of the Chitradurga Copper Company Limited for the year 1973-74.

Under section 619-A(3) of the Companies Act, 1956.

MADAM SPEAKER —The papers are laid.

## Supplementary Estimate for 1975-76 (Ist Instalment)

*(Presentation)*

SRI M. Y. GHORPADE (Minister for Finance).—Madam, I present the Supplementary Estimate for the year 1975- 76 (I instalment) as required under article 205 (1) of the Constitution of India.

MADAM SPEAKER.—Supplementary Estimate presented.

## Karnataka (Determination of the Retirement Age of certain Teach rs) Bill, 1975

*Motion to Consider*

MADAM SPEAKER.—I have received the recommendation of the Governor under Art. 207 (3) of the Constitution of India for consideration of the Karnataka (Determination of the Retirement Age of certin Teachers) Bill, 1975 in the Legislative Assembly.

SRI M. Y. GHORPADE.—I move:

"That the Karnataka (Determination of the Retirement Age of certain Teachers) Bill, 1975 be taken into consideration"

MADAM SPEAKER.—Motion moved:

"That the Karnataka (Determination of the Retirement Age of certain Teachers) Bill, be taken into consideration."

† SRI M. Y. GHORPADE.—The Cabinet had decided to reduce the retirement age of teachers to 55 years on 1-9-1973. However, this could not be applied to teachers of Old Mysore, because, they enjoyed certain protection under Sec. 115 of the State Re-organisation Act. Therefore, since their retirement age was 58 years, this could be reduced to 55 years as per the Cabinet decision only after securing the approval of the Central Government. Approval of the Central Government was sought and received on 24-1 1974. Accordingly, a notification was issued on 30-1-1974 reducing the age to 55 years and those teachers who have passed the age of 55 years were to retire on 1-3-1974. Accordingly, 3000 teachers in the State retired on 1-3-1974, but another thousand teachers went to the Court questioning the notification in the Court and they continued to stay in service by obtaining stay orders. Now, the High Court judgment in this regard came on 18-10-1974 and the notification of 30-1-74 was invalidated by the High Court on certain technical grounds which I need not quote in this context. However, since the notification was struck down by the High Court, something had to be done to correct the position. The legal aspects were examined and Government were advised that any issue of rules under Art. 309 of the Constitution could not overcome the decision of the High Court. If we do not validate the retirement age of the teachers which had already taken place, then, it would mean that the Government would have to pay salaries to the teachers who are already in effect retired and this would amount to Rs. 1.10 crores. Hence, the situation had to be remedied and the Karnataka Government once again approached the Government of India for suitable advice and permission in this regard. The Government of India wrote back that had already given permission and no fresh permission is required. So, the Cabinet once again considered this matter and decided to pass ordinance on 20-5-1975. Accordingly, an Ordinance was passed on 22-5-1975. Now this Bill which is before this House is in accordance with the well known rule that any Ordinance passed when the Assembly is not in session has to be approved by the Assembly within six weeks from the date, the Assembly is called. So, it is purely in pursuance of this rule that this Bill has been brought before this House in order to replace the Ordinance.

MADAM SPEAKER.—I will put the Consideration Motion to the House. The question is:

"That the Karnataka (Determination of the Retirement Age of Certain Teachers) Bill, 1975 be taken into consideration."

*The motion was adopted*

CLAUSES 2-5

MADAM SPEAKER.—As there are no amendments to the Bill, I shall put the clauses to the vote of the House.
The question is :

"That clauses 2-5 both inclusive do stand part of the Bill."

*The motion was adopted*

Clauses 2 to 5 both inclusive were added to the Bill

CLAUSE 1 ETC.

MADAM SPEAKER.—The question is :

"That clause 1, the long Title, the Preamble and the Enacting formula do stand part of the Bill.

*The motion was adopted.*

Clause 1, the long Title, the Preamble and the Enacting formula were added to the Bill.

*Motion to pass*

SRI M. Y. GHORPADE.—I move:

"That the Karnataka (Determination of the Retirement Age of Certain Teachers) Bill, 1975 be passed."

MADAM SPEAKER.—The question is :

"That the Karnataka (Determination of the Retirement Age of Certain Teachers) Bill, 1975, be passed."

*The motion was adopted and the Bill was passed.*

## The Karnataka Sales Tax (Third Amendment) Bill, 1975.

(*Motion to Conisder*)

SRI M. Y. GHORPADE (Minister for Finance and Housing).—I beg to move :

"That the Karnataka Sales Tax (Third Amendment) Bill, 1975, be taken into consideration."